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I N   A S S E M B L Y

May 13, 2010

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Introduced by M. of A. DenDEKKER -- read once and referred to the  
Committee on Codes

AN ACT to amend the penal law, in relation to establishing the offense  
of aggravated endangering the welfare of a child

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY,  
DO ENACT AS FOLLOWS:

1     Section 1. The penal law is amended by adding a new section 260.12 to  
2 read as follows:  
3     S 260.12 AGGRAVATED ENDANGERING THE WELFARE OF A CHILD.  
4     A PERSON IS GUILTY OF AGGRAVATED ENDANGERING THE WELFARE OF A CHILD  
5 WHEN HE OR SHE IS A PARENT, GUARDIAN OR OTHER PERSON LEGALLY CHARGED  
6 WITH THE CARE OF A CHILD LESS THAN EIGHTEEN YEARS OF AGE WHO KNOWINGLY  
7 ACTS IN A MANNER LIKELY TO BE INJURIOUS TO THE PHYSICAL, MENTAL OR MORAL  
8 WELFARE OF SUCH CHILD AND:  
9     1. SUCH PERSON HAS PREVIOUSLY BEEN CONVICTED OF ANY OFFENSE SET FORTH  
10 IN THIS CHAPTER IN WHICH THE VICTIM WAS A CHILD LESS THAN EIGHTEEN YEARS  
11 OLD; OR  
12     2. THE CONDUCT OF SUCH PERSON INCLUDES ACTS THAT CAUSE THE CHILD  
13 EXTREME PAIN OR WHICH ARE CARRIED OUT IN AN ESPECIALLY VICIOUS OR SADIS-  
14 TIC MANNER.  
15     AGGRAVATED ENDANGERING THE WELFARE OF A CHILD IS A CLASS E FELONY.  
16     S 2. This act shall take effect on the first of November next succeed-  
17 ing the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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